



IN RE: DELETE, DELETE, DELETE, GN Docket No. 25-133

Founded in 1995 and with Headquarters in Minnesota, Approve-IT is a regulatory consulting company whose main focus is working with electronic device manufacturers ensuring compliance of their products with regulatory requirements across 180+ countries. We're annually handling 8000+ product certifications for Radio, EMC, Electrical Safety, RoHS, and other relevant regulatory requirements. Of those certifications roughly 80% are wireless certifications which are overseen by each country's FCC equivalent Government Regulatory Authority. As such, we have a unique perspective and can compare different countries' regulatory requirements vs. the existing FCC Equipment Authorization (Certification) requirements.

To use China as example, in 2016 Approve-IT was asked by NIST to provide industry testimony on the burden of market access entry for Manufacturers for the China market vs. the US Market. Many of the conditions that existed in 2016 continue to exist today. The highlights that make China market access entry difficult are:

- 1) China has multiple regulatory approvals that can apply to a single product. For example: MIIT (NAL), SRRC (Wireless), CCC (EMC/Safety). Requirements for each process are burdensome.
- 2) For Wireless Certification (governed by China's SRRC under the MIIT), China requires testing to be performed in-country at a local test lab only. Typically, 3+ samples of each product must be sent for testing, which is a huge hurdle for many companies, especially start-ups and low/medium size manufacturers.
- 3) Sensitive documents (schematics, BOMs, etc.) are required as part of the application review process, which is a security concern for manufacturers.

In contrast, the existing FCC Testing & TCB Equipment Authorization System allow Manufacturers more flexibility. Several examples:

- 1) Accredited test labs in China (and other countries with MRAs) may perform the required FCC Testing. In other words, it is not a requirement to perform testing in the USA.
- 2) Equipment Authorization is managed by accredited TCBs, as opposed to the government regulator (SRRC/MIIT). This creates faster process times and more responsiveness from reviewers.
- 3) Sensitive documents are allowed confidentiality.

China is just one example, and there are others that have similar burdensome requirements.



Being mindful of overburdening regulations, by not requiring certification it is easier for non-compliant products to be placed on the market. The OET-EAS and FCC enforcement of the rules helps ensure this does not happen & take action when it does. One past example: a Product Reseller was rebranding and importing an OEM Design without conducting any testing or certification. A major Cellular Carrier reported outages of their network where this OEM product was being deployed, and through the FCC's enforcement division, the product was identified as the reason for network disruption. The reseller was made to perform testing and certification of the product to ensure compliance and limit the usage areas. While this was a case of the reseller not being aware of the existing requirements, if the existing EAS is reduced it would provide easier opportunity for low-cost, low-quality, and even possibly malicious (spyware, critical network equipment, etc.) goods to be placed on the US Market with less restriction.

Furthermore, the existing EAS process benefits US companies by lowering the regulatory burden to access many global markets. Many country regulators verify product authenticity by referencing product information on the OET-EAS. Product's FCC Grants & Test Reports are leveraged by manufacturers to apply for type approvals globally. The OET-EAS continues to benefit the USA by maintaining our technology leadership in the world.

Our recommendation would be to keep the existing equipment certification regulatory framework that is less burdensome compared to a country like China, while looking at specific clauses or rules that could ease the regulatory burden for developing and new technologies. Finally, NIST has been invaluable creating MRAs with other major global markets (Mexico, Singapore, Vietnam etc.) that provide equal footing for USA-based manufacturers seeking global market entry, and we would continue to encourage those efforts.

Thank you for your consideration.



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